
JAIL PROFILE SURVEY



ANNUAL REPORT 2007

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| JAIL PROFILE SURVEY: 2007 FINDINGS | |
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| 2007 Jail System Data Summary Sheet | |
| Current number of beds that meet Title 24 Standards | 75,728 |
| Average Daily Population (ADP) for 2007 | 83,184 |
| Highest One Day inmate population, statewide | 88,628 |
| Number of Bookings <u>per month</u> in 2007 | 108,238 |
| Percentage of male inmates | 86.9% |
| Percentage of non-sentenced inmates | 68.1% |
| Percentage of felony inmates | 79.0% |
| Pretrial inmates released early <u>per month</u> in 2007 due to lack of space | 9,525 |
| Sentenced inmates released early <u>per month</u> in 2007 due to lack of space | 7,704 |
| Unserved misdemeanor warrants at the end of 2007 | 2,265,440 |
| Unserved felony warrants at the end of 2007 | 287,784 |
| Percentage ADP receiving psychotropic medication (end of '07) | 11.1% |

HISTORY AND INTRODUCTION

Taken together, the 124 locally run jails in California constitute one of the largest detention and correctional systems in the world. In 2007, on a typical day, the system housed over 80,000 inmates. The Corrections Standards Authority (CSA), a California state agency, has been given the responsibility by the legislature for helping the system run efficiently and effectively by: setting standards for facilities and programs, conducting inspections of facilities, setting detention-staff employment and training standards, conducting research regarding detention practices and facilitating funding for detention construction.

In order to fulfill these responsibilities, CSA needs up-to-date information about many facets of the jail system. CSA is mandated by law to gather basic jail-system information, such as the average daily jail population. In addition, CSA gathers information that the Board needs to monitor and make decisions regarding emerging issues, such as jail crowding, early releases from jail resulting from inadequate jail space, and the problem of increasing numbers of juveniles being adjudicated as adults.

This report describes the results of an important CSA data-gathering tool: the Jail Profile Survey. The Survey became operational in 1996. It gathers information regarding over 60 jail-system variables from all 58 California counties and all 124 jail facilities. Data are submitted on a monthly or quarterly basis (depending on the variable in question). This report describes the results for 2007.

JAIL POPULATION GROWTH: BACKGROUND

To get some perspective about the situation in which we found ourselves in 2007, we need to look back to 1975. At that time, the general population of California was about 21.5 million people. The Average Daily Population of California jails, statewide, was about 23.3 thousand inmates (an incarceration rate of 1.084 per 1,000 general population). In 2007, the California general population was about 37.7 million people, and the Average Daily Population of jails was about 83,000 inmates (an incarceration rate of 2.202 per 1,000 general population).

Chart 1. California General Population, 1975 to 2007

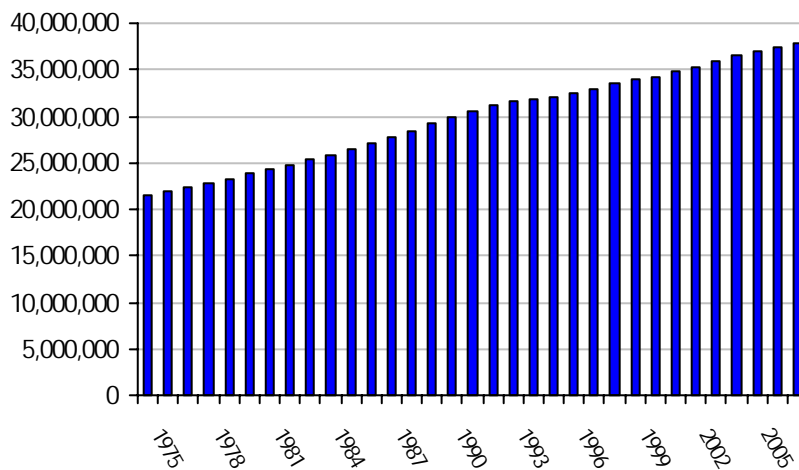
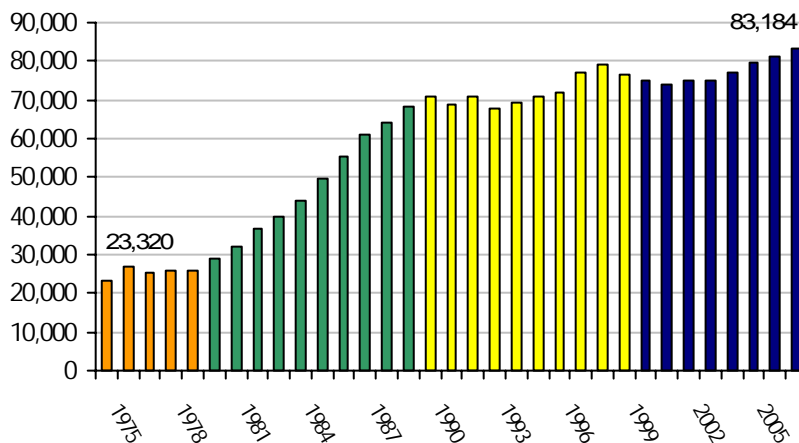
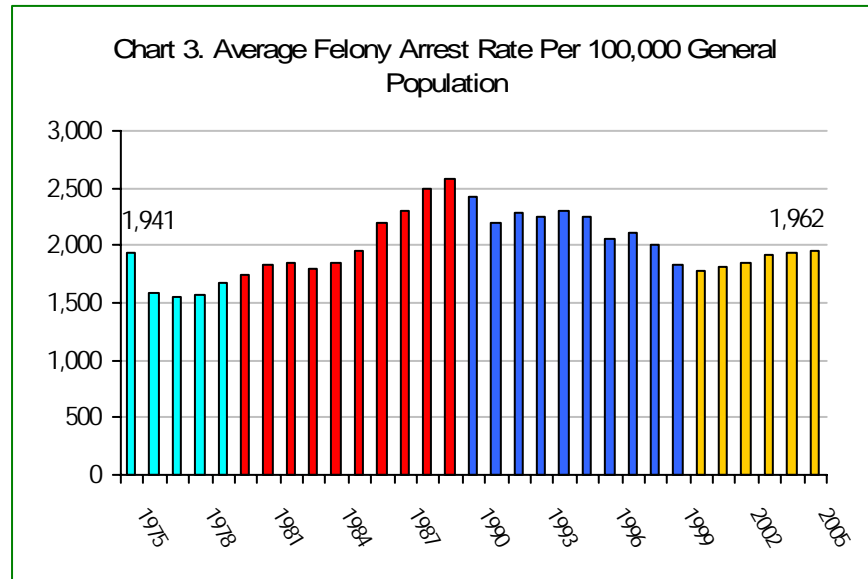


Chart 2. Average Daily Population, 1975 to 2007



There are a number of reasons that the jail population increased out of proportion to the general population; these include tougher sentencing laws and determinant sentencing. Despite public perception, the felony arrest rate was not one of the causes of the dramatic increase in the incarceration rate in California. As the chart below illustrates, the felony arrest rates in 1975 and 2007 were very similar.



As the next table shows, if the Average Daily Population growth since 1975 had been proportional to the growth in the general population, the 2007 Average Daily Population would have been about 41,000 inmates.

Table 1. Average Daily Population (ADP), 1975 to 2007

| | 1975 | 2007 | Change |
|--|--------|--------|--------|
| If ADP and general population increases had been proportional | 23,320 | 40,896 | 75% |
| What Actually Happened | 23,320 | 83,184 | 257% |

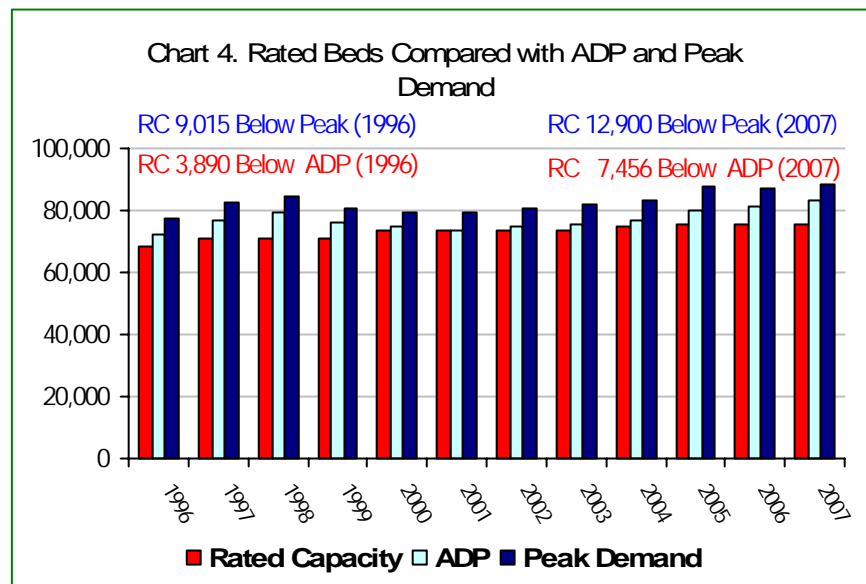
Regardless of the reason for the dramatic increase in the incarceration rate between 1975 and 2007, it was not anticipated and has created enormous challenges and difficulties for counties. As of the time of the writing of this report (September 2008), California counties, and the State itself, are in the midst of budgetary crises due, in part, to the enormous costs associated with housing over 83,000 inmates in jails.

JAIL CAPACITY AND POPULATIONS

The Corrections Standards Authority inspects all California jails on a regular basis (at least biennially) and determines the number of jail beds that meet the Corrections Standards Authority jail standards. The beds in a jail that meet the standards constitute the jail's "rated capacity." The rated capacity of all California jails in 2007 was 75,728 beds.

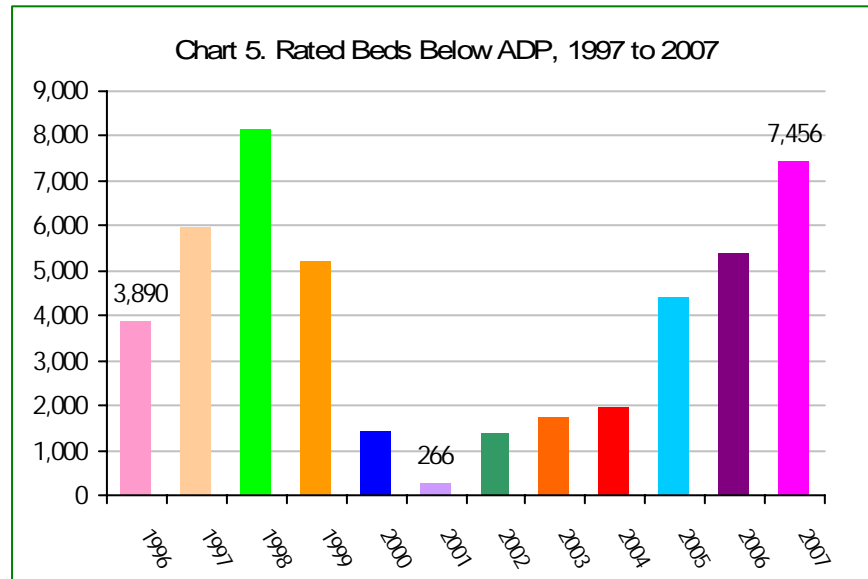
Another important concept is "peak demand" for bed space. The Average Daily Population is a useful statistic for computing trends; however, being a statistical mean (i.e., that shows the central tendency, but not the variation), it is less useful for determining necessary jail capacity during times of peak demand for jail space (e.g., due to the fluctuations in booking rates). The Jail Profile Survey records each county's highest inmate-population day during the calendar year. The population on 58 peak-demand days, recorded in each of the 58 counties, were then added together to determine the statewide peak demand. To accommodate the peak demand for bed space in 2007, California jails would have needed a rated capacity of 88,628 beds.

The chart below illustrates the disparity between rated capacity and the Average Daily Population, and between the rated capacity and the peak demand. In 2007, on a typical day, the jail-inmate population exceeded the rated capacity by 7,456 beds. The peak demand exceeded the rated capacity by 12,900 beds.



Throughout the twelve-year history (1996 through 2007) of the Jail Profile Survey, jail capacity has been inadequate to house the Average Daily Population and especially the peak demand. Jail-construction programs brought the jail system within 200-300 beds of having the rated capacity be equal to the Average Daily Population in 2001 (see

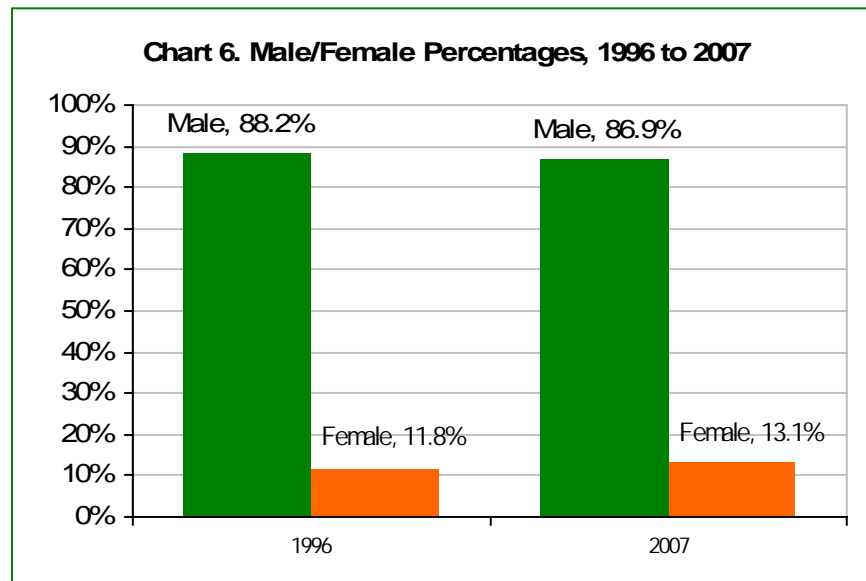
Chart 5 below). However, after 2001, the disparity began to grow again, and there is no relief in sight in terms of significant new construction on the drawing boards. Meanwhile, Average Daily Population can be expected to rise at least in proportion to the rise in the general population (between one and two percent per year).



JAIL POPULATION CHARACTERISTICS

Male/Female

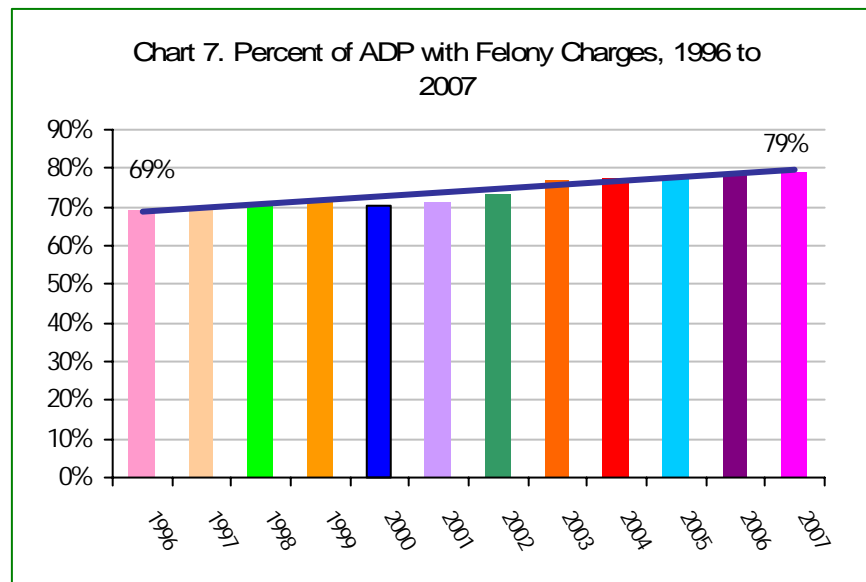
The percentage of females in jails has traditionally been relatively small (around 10% of the total). By 1996, the percentage of females had risen to 11.8%, and by 2007, to 13.1%. Counties have reported a number of reasons for this increase including a higher number of women being involved in more serious crime, and a trend for judges to sentence males and females more similarly.



If the percentage of females continues to increase, it will have a significant impact on the California jail system. Future jail construction programs will involve the higher complexity and higher costs associated with significant increases in jail space suitable for female inmates.

Percentage Of Inmates With Felony Charges

Before the rapid increase in the Average Daily Population in the 1980s, the typical split of inmates with misdemeanor versus felony charges was about 50%/50%. By 1996 (see Chart 6 below), the percentage of inmates in California jails with felony charges had risen to 69%. By 2007, the felony percentage had risen to 79%.



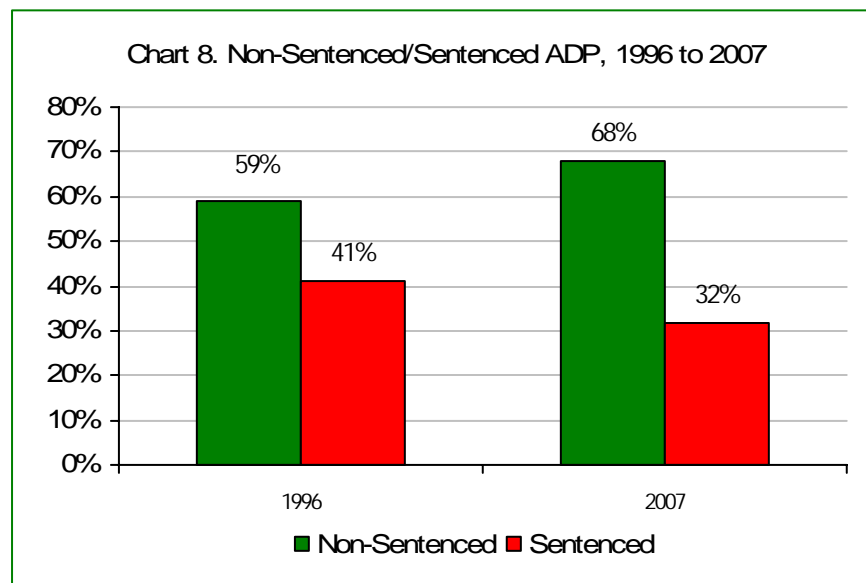
With the pressures of inadequate capacity, crowding, and the high number of inmates being released due solely to lack of jail space, the percentage of inmates with felony charges is expected to continue to rise. It is probable that within the next decade, local jails will house few, if any, inmates with misdemeanor charges. The result will be greater need for creative alternative sanctions for individuals convicted of misdemeanor offenses and lower level felony offenses.

Non-Sentenced Versus Sentenced Inmates

Another impact of crowding is the shift in the percentage of non-sentenced versus sentenced inmates. Between 1996 and 2007, the percentage of inmates who were non-sentenced rose from 59% to 68%. The primary reason is that releasing non-sentenced inmates is a complicated process and involves: 1) the adjudication process, 2) public safety issues, and 3) the gathering of important information about the inmate (often a time-consuming process).

Administrators have more flexibility with sentenced inmates for whom the adjudication process has been completed and more information is available to make release decisions. As will be discussed later in this report, each month in California, thousands

of inmates are released early from their sentences due to lack of jail space. The majority of them are sentenced inmates.



Finding adequate jail space is a zero-sum game. The greater the number of beds required to house non-sentenced inmates, the fewer the number of beds available for sentenced inmates. This problem has caused an interesting shift in the characteristics of the jail population (see Table 2 below).

Table 2. Non-Sentenced/Sentenced, Male/Female Inmate Populations

| | 1996 | 2007 | % Change |
|-----------------------------|--------|--------|----------|
| Non-Sentenced Male | 37,852 | 49,841 | 32% |
| Non-Sentenced Female | 4,687 | 6,787 | 45% |
| Sentenced Male | 25,651 | 22,466 | -12% |
| Sentenced Female | 3,817 | 4,090 | 7% |

Between 1996 and 2007, when the Average Daily Population increased from 72,007 to 83,184 (a 15.5% increase), the number of sentenced males decreased by 12%! The

number of non-sentenced males and females increased by 32% and 45% respectively. In contrast to what happened with sentenced males, the percentage of sentenced females increased by 7%.

With only 32% of jail beds being available for sentenced inmates (as of 2007), incarceration as a punishment option has become less and less likely. There is ever increasing pressure to develop alternatives to incarceration to punish those found guilty of a crime.

OTHER JAIL PROFILE SURVEY VARIABLES

Inmates from Other Jurisdictions

Counties jail systems house inmates that are the responsibility of other jurisdictions. For example, a small percentage of the inmates in county jails are waiting to be transported to state prison. Some counties house inmates at the request of neighboring jurisdictions for a variety of reasons.

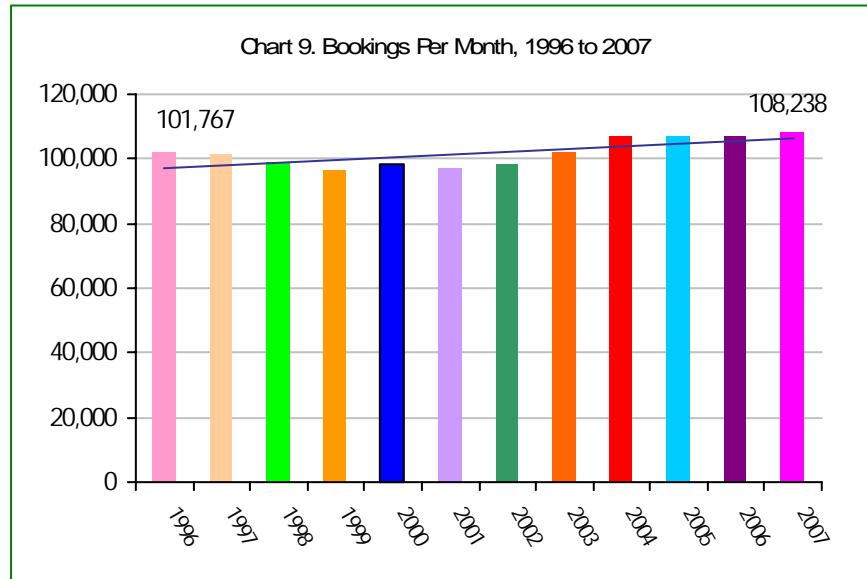
Table 3. ADP of Inmates from Another Jurisdiction

| | 1996 | 2007 | % Change |
|--|-------|-------|----------|
| Federal Contract | 1,608 | 3,627 | 126% |
| State Contract | 911 | 1,686 | 85% |
| From Another County | 68 | 120 | 76% |
| Awaiting Transportation to Another Jurisdiction | 1,736 | 2,267 | 31% |
| Total | 4,323 | 7,700 | 79% |
| Percent of ADP | 6.0% | 9.3% | |

In 1996, on a typical day, 6.0% of the inmates in California jails were the responsibility of jurisdictions other than the one in which they were incarcerated on that day. By 2007, the percentage had risen to 9.3%. The biggest increases occurred in federal and state inmates being housed in county jails on contract. Although there is a financial incentive for counties to house such inmates, the downside is a worsening of crowding problems and a reduction in space for county sentenced inmates.

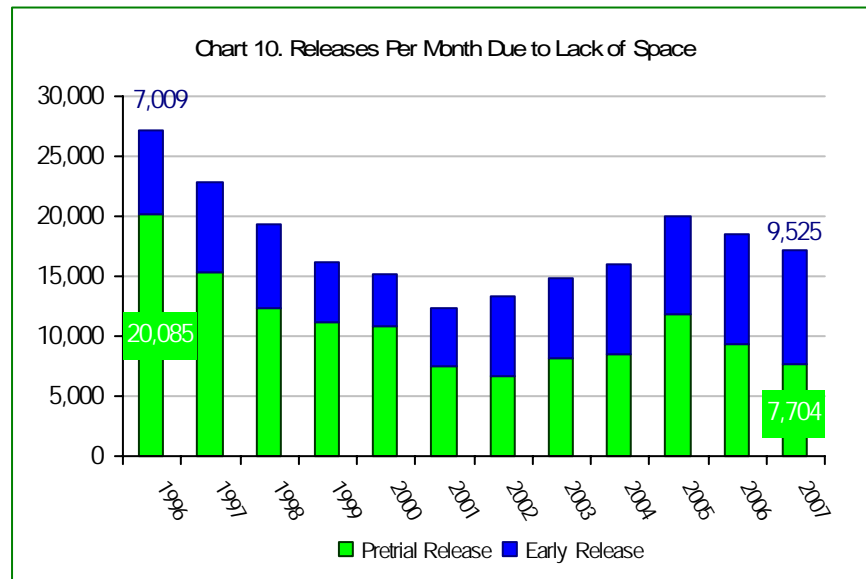
Bookings Per Month

Between 1996 and 2001, the numbers of bookings per month declined somewhat from about 102,000 to 97,000 per month. Since then, the number of bookings has steadily increased. The 2007 average number of bookings per month (across the 12 months of the calendar year) was 108,238 (see Chart 9).



Releases Per Month Due to Lack of Space

With increased bookings, increased Average Daily Population and a record peak demand for jail space in 2007, “releases” have become common. There are two types: pretrial releases and early releases. Pretrial releases (due solely to lack of space) occur with non-sentenced inmates who would normally remain incarcerated until adjudicated. Early releases occur when inmates are released before serving their full sentences, as a result of the lack of jail space



The tremendous number of monthly releases in 1996, when the Jail Profile Survey became operational, was gradually reduced in two ways: 1) significant new jail construction and 2) county efforts to establish alternatives to incarceration to preserve jail capacity for the most serious offenders (e.g., work furlough programs). The twelve-year (1996 through 2007) low in pretrial releases (6,598 inmates per month) occurred in 2002. The twelve-year (same time span) low in early releases of sentenced inmates (4,785 per month) occurred in 2001. Even at their lowest points in the last 12 years, the numbers of pretrial and early releases were alarmingly high. In the 2001 calendar year, statewide, over 79,000 pretrial inmates were released due to lack of jail space. In 2002, over 57,000 inmates were released early from their sentences.

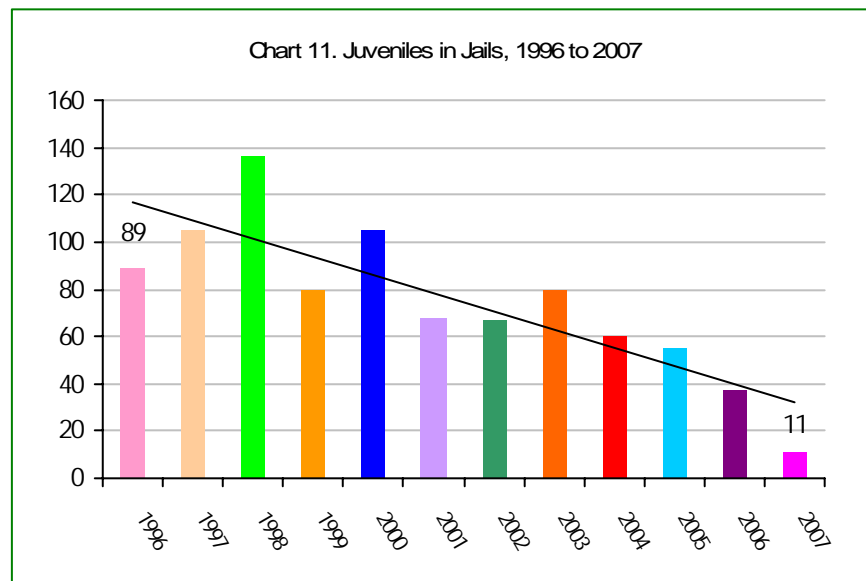
In 2007, over 92,000 people received pretrial releases due to lack of space. Over 114,000 inmates were released early from their sentences (an average of 9,525 per month). This was the highest number of early releases in the history of the Jail Profile Survey. It was also the first time, in the history of the Jail Profile Survey, that the early releases exceeded the pretrial releases.

OTHER JAIL PROFILE SURVEY VARIABLES

This section presents the Jail Profile Survey results for several important additional survey variables.

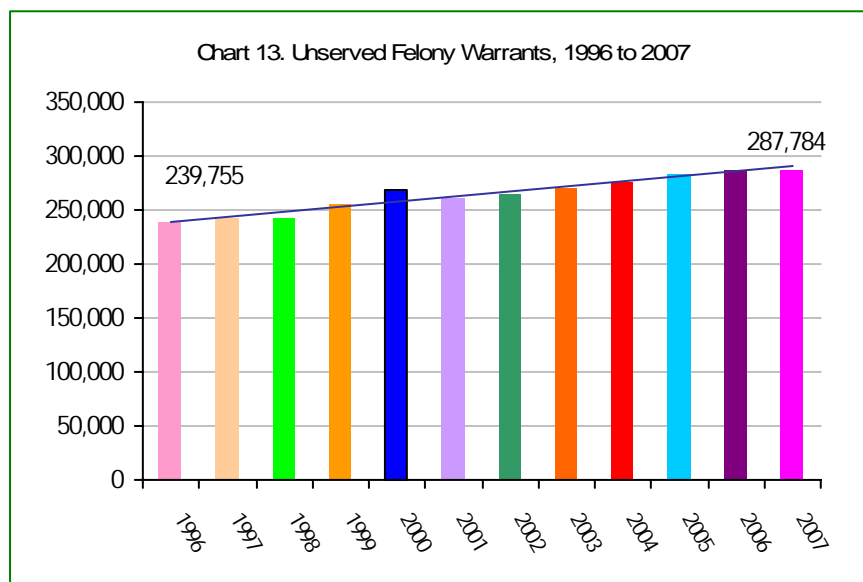
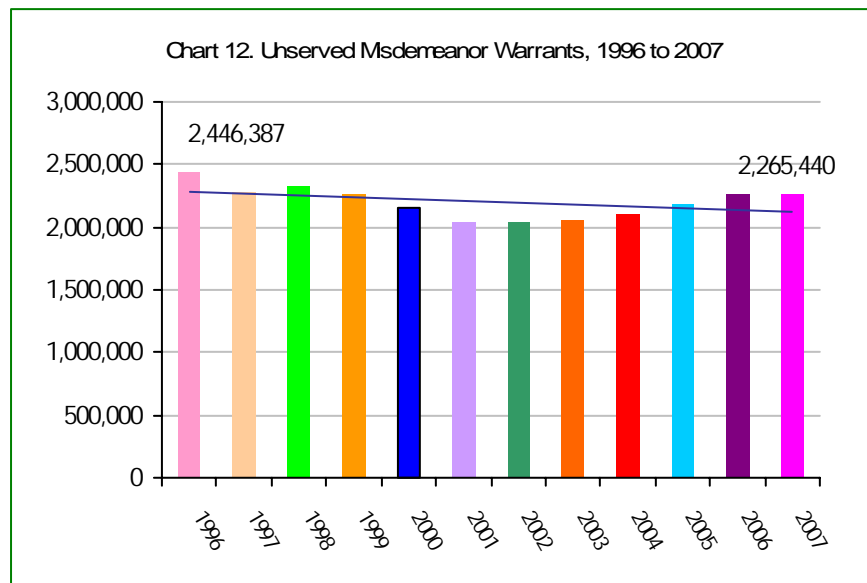
Juveniles in Custody

The drop in the number of juveniles in jails (see Table 11 below) is probably a result of crowding issues. Considering that California jails are filled to capacity and many pretrial inmates avoid incarceration and even more sentenced inmates are being released early, often there is barely enough space to house the most serious adult offenders. Some jail administrators have informed their probation departments that their jails will no longer be accepting juvenile inmates.



Unservd Warrants

Since the Jail Profile Survey became operational, there have been a huge number of unserved misdemeanor warrants in California. Despite the size of the number, it probably has little impact on the size of the adult detained population because, as a result of crowding, an ever declining percentage of jail beds is being used to house misdemeanants.

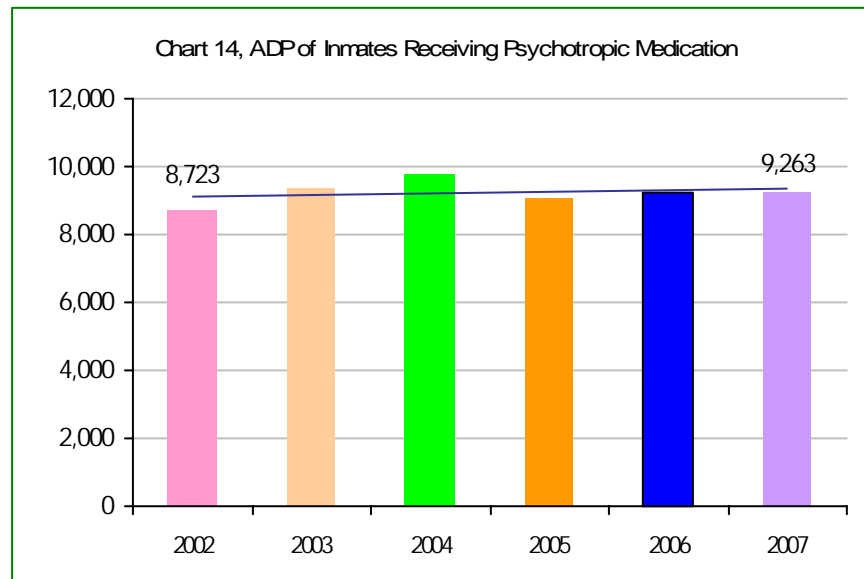


The number of unserved felony warrants has risen 16.7% in the last 12 years. There are now over a quarter of a million unserved felony warrants in California. Once again, a likely factor is crowding (there are a number of other resource issues as well, such as staffing levels). If serving a significant number of these warrants resulted in a significant

number of bookings into jail, there would be no jail space available to house the additional inmates. The outcome would be increased pretrial and early releases.

Mental Health Issues

Inmates with mental disorders present difficult challenges to jail systems. Mental health assessments must be completed, treatment plans must be developed and mentally ill inmates must be provided care that meets current standards. Psychotropic medication is often part of the treatment plan. The number of inmates receiving psychotropic medication in 2007 was 9,263 (11.1% of the total jail population).



The costs associated with providing proper care for inmates with mental disorders is considerable. Those planning for future jail-system resources should assume that at least 10% of the jail population will require mental health care and treatment.

Average Length of Stay

The Average Length of Stay (the average length of time that inmates were incarcerated during a reporting period, e.g., 2007) has been difficult information to obtain. Prior to 2002, the Average Length of Stay was estimated based upon the Average Daily Population and the number of bookings using the following formula:

$$\frac{\text{Average Daily Population times 365 days}}{\text{Bookings Per Month times 12 months}}$$

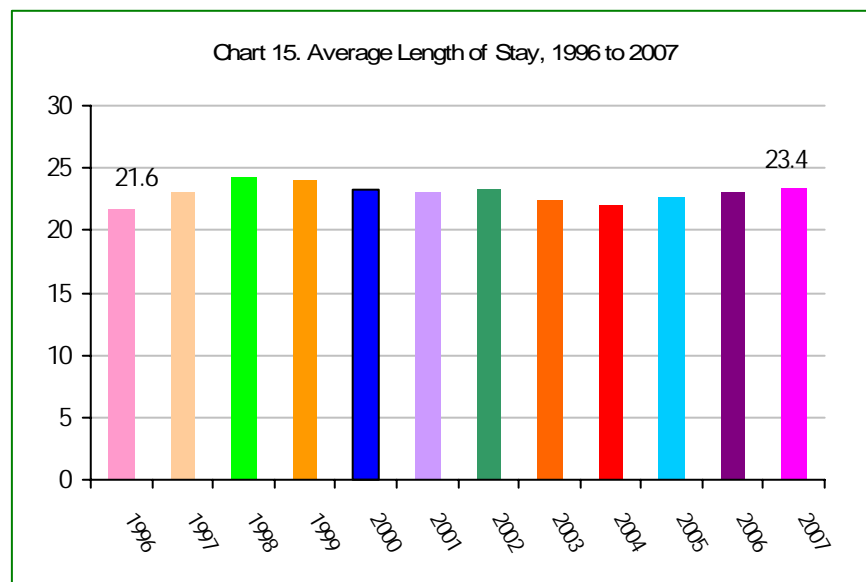
The rationale behind the formula was this:

- The Average Daily Population for a calendar year multiplied by the number of days in the year yields the number of “bed days” in the jail system (i.e., the total number of days that inmates occupied beds during a calendar year).
- The Bookings Per Month multiplied by 12 yields the number of individuals who entered jails for one or more bed days in a calendar year.
- Dividing bed days by the number of inmates yields the average number of bed days (or average length of stay) served by the inmates.

In a 2002 review of the Jail Profile Survey, the Executive Steering Committee decided to try to get more precise data for Average Length of Stay. Specifically, the decision was made to try to measure Average Length of Stay in terms of: 1) the actual number of days served by each inmate (by recording the length of stay of each inmate upon release), 2) the length of stay of pretrial releases and 3) the average length of stay of sentenced releases.

We have now had five years to evaluate this change. The results have not been encouraging. For whatever reasons, counties have had difficulty supplying consistent and complete information. In early 2009, this issue will be revisited by a new Executive Steering Committee that is described in a subsequent section of this report.

Based upon the traditional method of measuring Average Length of Stay (see Chart 15 below), length of stay is increasing. After several years of decline, the Average Length of Stay has been increasing steadily since 2002.



CURRENT AND FUTURE BED NEEDS

There have been a number of references in this report to the lack of jail capacity. What should the jail capacity be to meet current demands? What should the jail capacity be to meet future demands? Table 4 presents recent bed needs (2007) and projected needs for the year 2020.

Table 4. Current and Future Bed Needs

| | Beds |
|---|-------------|
| Rated Capacity: 2007 = 75,728 | 75,728 |
| 2007 ADP (83,628) minus Rated Capacity | 7,456 |
| 2007 Peak Population (88,628) minus ADP | 5,444 |
| 2007 Pretrial Releases Per Month (due to lack of space) | 9,525 |
| 2007 Early Releases Per Month (due to lack of space) | 7,704 |
| 5% Vacancy Factor for Efficient Jail Management | 5,293 |
| | |
| Bed Capacity Need as of 2007 | 111,150 |
| Bed Capacity Need Minus 2007 Rated Capacity = 2007 Bed Deficit | 35,422 |
| | |
| Projected 2020 Bed Need (using general population growth) | 129,879 |
| 2020 Bed Need Minus 2007 Rated Capacity = 2020 Bed Deficit | 54,151 |

The 2007 rated capacity of the California jail system was 75,728 beds. Table 4 shows the number of beds that would have been needed to meet the jail-system capacity needs in California in 2007.

One factor, not mentioned up to this point is the “5% vacancy factor.” Jail Administrators generally agree that about 5% of a jail system's beds should be vacant at all times. This vacancy rate is necessary to permit flexibility in assigning beds based upon inmate characteristics and special needs, e.g., inmate protection, segregation, medical care, and for dealing with conflicts among inmates. Taking all the factors in Table 4 into account, the bed capacity need in 2007 was 111,150 beds (35,422 beyond the State's rated capacity).

The best predictor of the future jail population is the growth in the general population. As of the writing of this report, there is no other factor (e.g., changes in sentencing laws) on the political horizon that would affect the incarceration rate more than changes in the size of the general population. Based on the expected growth of the California general population (using California Department of Finance estimates), 129,879 jail beds will be needed in 2020. In order to meet the 2020 jail capacity needs, 54,151 beds should be added to the current capacity of 75,728 beds. Of course, this will be an enormous challenge given the current huge State budget deficit, the time it takes conduct a major building program and the fact that 2020 is only 12 years away.

THE FUTURE OF THE JAIL PROFILE SURVEY

We have had five years since the last revision of the Jail Profile Survey to evaluate the results. Overall, the survey continues to provide useful data. However, improvements need to be made. In December of 2008, a new Executive Steering Committee will be convened to assess the current functioning of the survey and to make recommendations for changes. In general, issues to be addressed include the following:

- Data for some of the variables are unreliable, inaccurate or missing. We need to either find a way to get better data or eliminate the following variables from the survey:
 - ✓ Security classification
 - ✓ Undocumented aliens
 - ✓ Medical and mental-health indicators
 - ✓ Two and three strikes
 - ✓ Average length of stay
- Data are often late. The goal is to publish survey results 45 days after the end of each quarter of the calendar year. In 2002, web-based data submission was introduced. Nevertheless, some jurisdictions still have trouble submitting the data on time. This problem will have to be resolved if the survey is to function as intended.
- Training for local representatives who submit the data is imperative, especially due to the fact that there is frequent turnover in these positions. In the past four years, partially due to budget cuts, the Corrections Standards Authority has not had the resources to keep the local representative training up to date.

The current plan is to resolve as many of these issues as possible and begin field testing the latest revision of the Jail Profile Survey in 2009.